

**City of Saratoga Springs
Planning Commission Meeting
July 14, 2016**

Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Minutes

Present:

Commission Members: Kirk Wilkins, Sandra Steele, Hayden Williamson, David Funk, Ken Kilgore, Troy Cunningham

Staff: Kimber Gabryszak, Planning Director; Kevin Thurman, City Attorney; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder

Excused: Brandon MacKay

Others: Stan Steele, Rod Eichelberger, Brian Flamm, Jennifer Chamberlain, Mindy Dansie, Mindy Thatcher, Rob Thatcher

Call to Order - 6:30 p.m. by Chairman Kirk Wilkins

1. Pledge of Allegiance - led by Commissioner Steele

2. Roll Call – A quorum was present

3. Public Input

Public Input Open by Chairman Kirk Wilkins

No input was given.

Public Input Closed by Chairman Kirk Wilkins

4. Public Hearing: proposed Code Amendments, Title 19, including changes to Open Space, Zoning, Supplementary Regulations, Landscaping and Fencing, Parking, Conditional Uses, Signs, and other changes, City initiated.

Planning Director Gabryszak presented the proposed Code Amendments. The changes remove several inconsistencies, clarify several standards, correct unintended consequences from previous amendments, reduce requirements for homeowners, and add standards for electronic and special event signage.

19.02. Definitions - Add definition for “protective ground cover” to accompany changes to 19.06.

19.04. Zone Districts – Postponed.

19.05. Supplementary Regulations - Clarify that Ice Cream Trucks are allowed in residential zones, and Clarify standards for wireless telecommunications towers.

19.06. Landscaping (And 19.02, definitions) - Clarify landscaping requirements for backyards, to reduce requirements, and Clarify parallel fencing prohibition.

19.09. Parking - Clarify requirements for covered parking for multi-family development, and Correct parking requirements for Mixed Use and similar zones that the parking requirement for commercial uses is based on square footage, but the parking requirement for residential uses is based on the number of dwellings.

19.14. Site Plans - Clarify access width language.

19.15. Conditional Uses - Remove requirement to protect view sheds

19.18. Signs - Create provision for electronic signs in limited circumstances; Create provision for directional signage for approved special events; and Create signage standards for parks and along trails.

Commissioner Kilgore received clarification that snipe sign rules were not changing and also that balloon signs or adornments were prohibited.

Planning Director Gabryszak, in response to queries, explained that most election signs wouldn't fall under this section it would fall under private property signs. If it were for a special permit event like a debate that would fall under this. There is an option to put up snipe signs for one-time events every 90 days. It makes it a little easier by having a process in place.

Public Hearing Open by Chairman Kirk Wilkins

Rod Eichelberger wanted to make sure there wasn't something excluding HAM Radio towers. Commissioner Wilkins responded that those are regulated by the FCC, HOA's can further restrict them. Rod had a comment on fencing, his lot had no fencing but had animals he needed to maintain and wanted to clarify the use. Planning Director Gabryszak showed the phrase that allowed for keeping of animals with wire fencing. Rod wanted to open the dialogue that landscaping would be open for more xeriscaping.

Mindy Thatcher is in favor of the electronic sign changes but for backyard landscaping she doesn't think residents should have to be put into circumstances where we have to choose between some needed expense like adopting a child or finishing the backyard.

Rob thatcher commented that they are not looking for exception for themselves. They see so many families struggle these days and he doesn't think there should be undue pressure put on families that may not be able to afford landscaping.

Jennifer Chamberlain addressed the Neon lights on private business, she feels that it attracts business and owners need to attract businesses the way they feel best. She is not worried about our city becoming a "Las Vegas." With back yards, until they put theirs in she didn't realize how much it cost. There are circumstances where people feel they need the money for something more serious like adopting a child. If people could just be required to keep the weeds cut down it may suffice. It's important to protect property rights. She moved from the Saratoga Springs Development neighborhood because of obnoxious behavior from people that would turn in neighbors. We should see if our neighbors need service first rather than deciding they are a nuisance and turning them in right away.

Rob thatcher noted they came here because they love the people they live around, as a city we want to be the kind of people that look out for each other.

Public Hearing Closed by Chairman Kirk Wilkins

Planning Director Gabryszak addressed some of the public comment. She noted these new amendments reduce some of the landscaping requirements. The city does not require sod for residential development. If they want to do xeriscaping they can but at least 25% of a front yard or street side yard needs to include vegetation coverage. This is for shade. For backyards there is not a requirement for a certain amount of vegetation, this amendment is trying to make it clearer that they don't need fancy landscaping. The current code talks more about vegetation and aesthetic purposes and was confusing. Last year they added more about bare ground. This further adds clarification that the ground needs to be stabilized, not necessarily formally landscaped. Planning Director Gabryszak clarified that chain link or wire fencing could be used to keep animals or something like a dog run inside your yard. Commissioner Steele commented that section (1) of the fencing needs to be restored so they couldn't fence the whole yard with wire.

Planning Director Gabryszak advised that the towers they are talking about do not include HAM radio; it is a separate standard not subject to the City's height limits. Neon lights are not being discussed with this change; they are permitted in limited amounts already.

Commissioner Steele noted that we allow pole signs in the trails but in other areas it is prohibited. Planning Director Gabryszak corrected the code to include the exception. Commissioner Steele wondered

if there was a way we can really hold down the exceptions that we grant. Someone would want a 12' then the next person will want a 15'. We are worried about the height causing the most problems for residents. Planning Director Gabryszak responded that when we see the plans, developers bringing their own code in, we can recommend that they comply with our current code. Commissioner Steele noted that we want to control water runoff and dust with landscaping and can we do that sufficiently with just weeds being mowed. She questioned inorganic matter being acceptable, if someone decided to do all rock it will raise the temperature and cost more in water for a neighboring green lawn. Installing just a few trees would solve that. Maybe this doesn't need fixing we already allow xeriscaping maybe that is enough. Planning Director Gabryszak clarified that they are not required to do the vegetation in backyards now. Commissioner Kilgore noted that xeriscaping includes rocks so you couldn't really prohibit them. Commissioner Steele feels that if you are going to do all rock or inorganic then you need to put some kind of vegetation, like trees, in to keep the heat down and minimize the effect it will have on the neighbors.

Commissioner Funk would like to make sure when we grant a sign exception that it is spelled out well that it is an exception. He commented on 19.06.08.1.f, and that by saying this there is a problem, we want fewer restrictions and this is restricting us more. It is prejudice to those few homes that have this problem with a power pole. There are poles and guidelines that utility companies don't have to get into and it's not a power line to cause problems. He noted that we are starting a development that has a lot of high power lines. It is not a problem to require it when there is an overhead line, a lot of it is common sense. We aren't the utility co. and we shouldn't be regulating for them.

City Attorney Thurman noted that if they would like to remove it and defer to state law that was under their purview.

Commissioner Williamson likes the direction we have gone with landscaping in talking about impacts. Regarding heat with rocks he doesn't see that will be a concern its common to have lots surrounded by heat sinks like parking lots; it would be minimal, if anyone, that would do that. He thinks this simplifies the code and makes it easier to read.

Commissioner Cunningham is concerned about too much inorganic material. He noted that he put rocks in his flower beds and the grass next to that is harder to keep green. So it would be a concern if a neighbor did that. He also agrees with allowing exceptions to the signs. Even if we restrict them, someone is going to come along and say can I have one that's bigger, and eventually they will be granted bigger and bigger. He doesn't see why we need to do electronic signs and is opposed to them.

Commissioner Kilgore shares Commissioner Steele's concerns about heat sinks. It was a major issue when he lived in Tokyo. He doesn't see how the City could go into someone's back yard and claim it is a heat sink; we don't have a way to measure and really enforce it. He thinks the way it stands now is good and we can evolve it later if needed.

Commissioner Wilkins would like to have the least amount of restrictions.

Motion made by Commissioner Williamson that Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections 19.02, 19.05, 19.09, 19.12, 19.15, with the changes made during discussion today and with the Findings and Conditions in the Staff Report. Seconded by Commissioner Funk. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Troy Cunningham.
Motion passed 6 - 0.

Motion made by Commissioner Williamson to forward a positive recommendation to the City Council for the proposed amendments to section 19.06 with changes made during discussion and the findings and conditions in the staff report. Seconded by Commissioner Funk.

Aye: David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Troy Cunningham.

Nay: Sandra Steele.

Motion passed 5-1.

Motion made by Commissioner Williamson that based upon the evidence and explanations today to forward a positive recommendation to the City Council for the proposed amendments to section 19.18 with findings and conditions in the staff report. Seconded by Commissioner Funk.

Aye: David Funk, Hayden Williamson, Kirk Wilkins, Troy Cunningham.

Nay: Sandra Steele, Ken Kilgore.

Motion passed 4-2.

A short break was taken at this time.

5. Work Session: Wildflower Village Plan 1, located west of Harvest Hills, DAI applicant.

Planning Director Gabryszak presented the item. The applicant, DAI, has submitted a request for Village Plan 1 as part of the Wildflower development west of Harvest Hills. Village Plan 1 contains all of the property to the east of the future Mountain View Corridor excepting ~7 acres to be used for a Mountain View Corridor stormwater pond. Village Plan 1 assigns 571 ERUs to this property, as anticipated by the Community Plan.

Mindy Dansie and Brian Flamm, representing the applicant, were present.

Commissioner Kilgore noted the minimum setbacks were less than required. Planning Director Gabryszak said they were discussed in the community plan and already granted. He asked if the front yard maximum height in the fencing of 4' was granted. Planning Director Gabryszak responded that regardless they would have to comply with the clear site triangle requirement. She will verify if it is an exception or granted. He was concerned that the primary entrance sign is a lot higher than our code allows. Planning Director Gabryszak noted that was not granted yet, they are requesting that. It was decided at the community plan level to hold off on granting any sign exceptions until the Village Plan level. Planning Director Gabryszak noted the code for a residential entrance feature is 20 feet. The sign portion can be up to 10 feet with more than 100 dwelling units.

Commissioner Wilkins doesn't think we should allow something to much bigger than our code currently allows.

Brian Flamm mentioned that they have explored using this design for the community on things like mail boxes etc. that would fall outside of signs. One thing here is that they are on a slope and this is below the hill. They feel this will add value and they want to make this a solid community with a nice feel.

Commissioner Cunningham noted that before C/O would be granted that the front yards had to be completed, he asked how they would address that in the winter. Brian Flamm noted they would address that in the plans. City Attorney Thurman noted they could allow them to post a bond for that. Commissioner Cunningham asked how they would address water pressure issues. City Engineer Miner said they would not plat lots that were not serviceable. Commissioner Cunningham noted park amenities for kids but he didn't see any plans for very small children. Brian Flamm said the larger park would have different equipment for different ages.

Commissioner Williamson doesn't feel this entrance feature is an eyesore and if we would allow it without a sign on it what is the difference if they add a sign to the bottom. He noted the only buffer between the homes on the west side and Mountain View Corridor is a vinyl fence, he is concerned about sound. City Engineer Miner advised that he didn't think UDOT would build a wall where it wasn't already developed so it's a question of timing of which comes first. Brian Flamm added that upfront UDOT will be building a

frontage road and the corridor will be well below grade. They want fencing required along the main corridors so it gives a clean look to the community.

Commissioner Wilkins didn't want an entrance feature much higher than what we already allow. He noticed along existing Mountain View Corridor there are fences. Brian Flamm replied portions of it are just frontage roads and they are not all fenced.

Commissioner Funk was concerned about sidewalks not being on both sides of the road. Brian Flamm replied they are trying to match Harvest Hills as previously requested. Commissioner Funk noted there was no sidewalk in the park area; he thinks they need them on both sides of the street especially if it's a busy street or in front of a church or park. It's going to be a busy street and doesn't think it needs to match with Harvest Hills. He thought the home designs looked nice.

Commissioner Steele echoed the need for sidewalks on both sides; we don't need to make the mistakes of Harvest Hills again. She asked the City Engineer how they would transition the sidewalks. City Engineer Miner responded that there wasn't much of a transition other than width. They could create some sort of crosswalk.

Brian Flamm pointed out that the layout is different than typical roads; there aren't typical long roads and grids. It helps with safety, slows down traffic. He noted the varied setbacks to help open up the feel of the streets and looks nice. Commissioner Wilkins thought it might help with reducing the people using the roads for shortcuts.

Commissioner Steele asked if the trail along Mountain View Corridor would be the grade of the homes. She asked the width of the trail. Brian replied it would be up at the grade of the homes. The width is noted at 10' estimate but it's ultimately up to UDOT. The frontage road is an arterial so won't need semiprivate fencing. Commissioner Steele noted she had a problem with the entrance sign being that high. If they allow it for them the next developer will want them to allow it. She understands what they are doing and that there is a hillside but they can't codify that. On the builder directional signs, they show additional signage. Brian clarified which signs that referred to, they were not snipe signs. With this they are minimizing every single builder from having their own signs, it's organized and clean. It has been well taken in other cities. He will look at the language to ensure the intent.

Commissioner Steele commented that on parks she noticed some number discrepancies. She asked about the maintenance. Brian said the small parks would be HOA maintained the larger hopefully a city park. She asked what kind of surfacing for the play area, she noted the equipment may be ADA accessible but the ground cover isn't always. If you are going to the trouble of making equipment ADA compliant she would request that the surface follow ADA standards. She asked about state sensitive lands and that it was noted they would be in the back yards. In the past they put a condition on the plats to be clear it was not to be disturbed. Brian said at plat it would either stay sensitive or be addressed through the code that was put in place. She has problems with two of the street trees that have problems with berries and roots, locust and Hackberry.

Commissioner Wilkins was concerned with separation between the residents and the Mountain View Corridor. He hopes there would be something not just for sound but physically restrictive for safety. He hopes they would do their best to approximate their code to City Code.

6. Approval of Minutes:
a. June 23, 2016

Commissioner Steele made a few changes to clarify her comments.

Motion made by Commissioner Williamson to approve the minutes of June 23, 2016. Seconded by Commissioner Funk. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Troy Cunningham. Motion passed 6 - 0.

7. Reports of Action. None

8. Commission Comments.

Commissioner Steele asked about a “car lot” that pops up especially on the weekends along Redwood Road and if there was something that could be removed. She commented Redwood Road has been looking better with removal of signs and code enforcement. She wondered if we should contact the local republican and democrat committees to let them know that snipe signs are not allowed in the public right-of-way. (Commissioner Williamson doesn’t believe that will be very helpful.) She asked for one code correction from parking by zone to parking by use that needs to be fixed online. She also mentioned that she went to the UDOT open house tonight for Redwood Road. She asked them about a light on Fairway and that it wasn’t warranted now but it may be by the time the project finishes.

9. Director’s Report:

- a. **Council Actions** – There was a retreat earlier this week.
- b. **Applications and Approval** – noted in packet material. Also to this date of the year we have received more applications than in any other total year but one.
- c. **Upcoming Agendas** – July 28 no Bike/Ped. Work sessions and Mt. Saratoga. Aug 11th at 7:00 joint meeting with City Council and general plan consultants.
- d. **Other** – She noted that newer delegation of projects has helped to keep manage the load even though applications have increased.

10. Motion to enter into closed session. No closed Session.

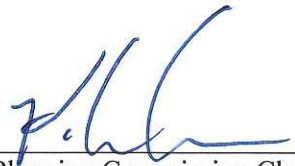
11. Meeting Adjourned at 8:55 p.m. by Chairman Kirk Wilkins

7-28-16

Date of Approval


Nicolette Fike, Deputy City Recorder





Planning Commission Chair
Kirk Wilkins